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Report of the Secretary-General on the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo

I. Introduction

1. The present report is submitted pursuant to paragraph 34 of Security Council resolution 2098 (2013). It covers major developments in the Democratic Republic of the Congo since my report of 17 December 2013 (S/2013/757), including with regard to the implementation of national commitments under the Peace, Security and Cooperation Framework for the Democratic Republic of the Congo and the Region and progress made by the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) in implementing its mandate. It also provides an update on the reconfiguration of MONUSCO and the transfer of tasks to the United Nations country team.

II. Major developments

Political developments

2. Despite the momentum and optimism following the defeat of the Mouvement du 23 mars (M23) in late 2013, challenges remained on moving forward on key political issues, as contained in the National Dialogue recommendations and the Nairobi Declarations. The Government reshuffle announced by the President of the Democratic Republic of the Congo, Joseph Kabila, on 23 October 2013 has not yet taken place and may delay the pace of progress in the implementation of key reforms. The M23 continued to be active as a movement, issuing statements and reportedly recruiting new members. The situation in Katanga was further undermined by political tensions revolving around the restriction of political space, the planned division of the province and the issue of political leadership of the province.

3. A number of serious security incidents exacerbated the fragile political and security environment in the country. On 30 December 2013, the Armed Forces of the Democratic Republic of the Congo (Forces armées de la République démocratique du Congo-FARDC) repelled coordinated attacks launched by unidentified armed assailants in the capital, Kinshasa, and in Lubumbashi and Kolwezi in Katanga Province, and in Kindu in Maniema Province. In Kinshasa, three separate groups

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simultaneously attacked the Congolese armed forces' headquarters/Ministry of Defence compound, the National Radio and N'Djili international airport. In Kindu, the assailants attacked the airport, while in Lubumbashi, violent clashes between the army and unknown gunmen took place on the outskirts of the city. As a result of the attacks, 103 people, including eight Congolese armed forces soldiers, were reportedly killed. These serious incidents appeared to be linked to followers of a self-proclaimed prophet and outspoken opponent of the Government, Joseph Mukungubila. These attacks, although repelled by the Congolese armed forces, have shown that threats to stability in the Democratic Republic of the Congo are not limited to the East.

4. In another serious incident on 2 January 2014, Colonel Mamadou Moustapha Ndala of the Congolese armed forces, who had played a key role in leading the military operations against the M23 and was involved in directing new operations against the Allied Democratic Forces (ADF), was assassinated by unidentified assailants north of Beni.

5. In keeping with the conclusions of the Kampala Dialogue between the Government of the Democratic Republic of the Congo and the M23, on 4 February the Parliament adopted an Amnesty Law for acts of insurrection, acts of war and political offences between 18 February 2006 and 20 December 2013. Consistent with international humanitarian and human rights laws, the Amnesty Law, which was promulgated by the President on 11 February, excludes amnesty for crimes of genocide, crimes against humanity, war crimes and gross violations of human rights, as well as treasonable offences.

6. On 23 January, the Government suspended the passage of a controversial oil bill that was currently under consideration in Parliament, in order to allow for more time for consultation. The bill had been denounced by both local and international anti-corruption regulators for its lack of transparency.

Progress on implementation of national commitments under the Peace, Security and Cooperation Framework Agreement for the Democratic Republic of the Congo and the Region

National Oversight Mechanism and benchmarking process

7. MONUSCO and international partners continued to advocate for the strengthening of the National Oversight Mechanism's institutional framework. Nevertheless, nine months following its establishment, the Executive Committee of the three-tiered Mechanism for the implementation of the Peace, Security and Cooperation Framework Agreement has yet to adopt its rules of procedure and is operating with limited material and human resources. The Steering Committee, chaired by President Kabila, has only met once since the creation of the Mechanism, while the Consultative Council, which brings together representatives of different sectors including public institutions and civil society, has yet to hold its first meeting.

8. The Executive Committee is gradually advancing the benchmarking process, which will pave the way for developing an action plan for the Framework's implementation and direct the development of priority programmes. On 13 January, the Coordinator of the Mechanism's Executive Committee transmitted a formal

request to MONUSCO for support from the United Nations and international partners for a three-day seminar to elaborate and refine benchmarks and indicators for all six national commitments under the Framework. On 11 February, my Deputy Special Representative and Resident Coordinator transmitted a draft concept note on the organization of the proposed seminar to the Executive Committee of the National Oversight Mechanism. On 17 February, the concept note was shared with the Presidency prior to its transmission to the various stakeholders ahead of the seminar now planned for March.

Security sector reform

9. Progress on army reform has been slow, with no sign of an updated 2008 Army Reform Plan put before Parliament or tabled during the ordinary session of March 2014. A five-year programmatic law on police reform for the period from 2014 to 2017, adopted by the Senate on 5 November and signed into law by President Kabila on 24 December 2013, provided the legal framework for implementing reform activities, including establishing criteria for recruitment and promotion, salary scale and retirement arrangements for police officers. On 28 December, the President appointed General Charles Bisengimana as the new head of the Congolese National Police.

Consolidation of State authority

10. Following the liberation of areas previously occupied by the M23 in North Kivu, MONUSCO supported the Government's efforts to restore state authority in the East, including through the deployment of key state actors, in order to prevent a return to conflict. As part of this process, approximately 950 elements of the Congolese National Police and local representatives from provincial Ministries were redeployed to Rutshuru and Kiwanja.

11. MONUSCO, mainly through funding from the Peacebuilding Fund, undertook several programmes directly supporting peace consolidation and restoration of state authority under the International Security and Stabilization Support Strategy (ISSSS). These include, inter alia, the creation of five prosecution support cells in the East; the construction of four prisons; the construction and staffing of four Tribunaux de paix, and the construction of pilot Mining Trading Centres.

12. In South Kivu, on 8 January 2014, the Congolese Office des routes, supported by the United Nations Office for Project Services (UNOPS), resumed the rehabilitation of the Shabunda-Burhale road through ISSSS funding.

Decentralization

13. In his address to the nation on 31 December 2013, President Kabila stressed the need to accelerate the decentralization process, including the progressive establishment of new provinces, the devolution of financial services from the central Government to the provinces and the prompt establishment of the Caisse nationale de péréquation (National Stabilization Fund), aimed at streamlining development investments among the provinces. The Parliament is expected to adopt outstanding laws, including the programmatic laws on the establishment of new provinces and the demarcation of provincial entities, at its March to June ordinary session.

Structural reforms of government institutions, including financial reforms

14. On 31 December 2013, the Government published the Extractive Industries Transparency Initiative report for 2011 and reaffirmed its commitment to publish the 2012 report of the Initiative in March 2014, in a bid to resume its participation in the Initiative, following the country's suspension in April 2013. The Government also announced the adoption of additional measures to develop a strategy aimed at reforming public services. Two laws are currently under consideration by the Parliament: the Organic Law establishing the organization and functioning of public services of the provincial, local and central authority; and the law amending the status of public servants and State officials.

Reconciliation, tolerance and democratization

15. On 26 December 2013, the National Dialogue Follow-up Committee, co-chaired by the National Assembly Speaker, Aubin Minaku, and the President of the Senate, Leon Kengo, adopted its rules of procedures. Following a meeting on 29 January 2014, between President Kabila and the two co-chairs, 100 out of the 750 recommendations were identified as priorities for immediate implementation. The 17-member Committee, including Members of Parliament and representatives of civil society, will monitor the implementation of the National Dialogue recommendations. MONUSCO, along with the Special Envoy of the Secretary-General for the Great Lakes Region and other international partners, has consistently underscored the need to align the functions and work of the Oversight Mechanism (for the implementation of the Peace, Security and Cooperation Framework) with those of the National Dialogue Follow-up Committee.

16. Further steps were taken towards reviving the electoral process. On 8 January, under the aegis of the Independent National Electoral Commission, the representatives of 320 political parties, including the main opposition parties, adopted a new code of conduct for political parties and candidates. The new code of conduct, and the memorandum of understanding on the consultative framework Comité de liaison were signed on 8 February by the Commission and most political parties (as of 10 February, 233 political parties out of 451 had signed). A number of opposition parties, including the Union pour la démocratie et le progrès social (UDPS) and the Union pour la nation congolaise (UNC), did not sign the documents. On 30 January, the Independent National Electoral Commission presented to the Parliament two options for the 2013-2016 electoral cycle road map. The first option would require a constitutional revision to allow for the holding of indirect elections for provincial deputies. In both options, presidential and national legislative elections would take place in November 2016. The Parliament is expected to adopt the final road map at its March to June session. In the previous session, it allocated some US$ 166 million to the Commission for its 2014 activities.

17. Discussions on a new electoral law are ongoing in Parliament. Once adopted, the new law will determine whether provincial elections will be conducted through direct or indirect suffrage. At the request of the Independent National Electoral Commission, the United Nations Development Programme (UNDP) prepared a draft comprehensive elections support project entitled Projet d'appui au cycle électoral covering the 2014-2016 local, provincial, legislative and Presidential elections.

Situation in the eastern Democratic Republic of the Congo

18. The situation in North Kivu remains volatile. Following the defeat of the M23, MONUSCO issued a warning to other armed groups, urging them to surrender or face military operations. Through sustained pressure and a proactive communication campaign by the Congolese armed forces and MONUSCO, armed groups, including Mayi-Mayi Lafontaine, Forces populaires congolaises (FPC), Mayi Mayi Simba, Mayi-Mayi Shetani and the Mouvement pour la libération du Congo (MPLC), expressed their intention to discuss the terms of their surrender with the Government.

19. The Allied Democratic Forces increased their activities in Beni territory. On 25 December 2013, they attacked and briefly captured Kamango, north-east of Beni, before the Congolese armed forces regained control of the town with MONUSCO aerial support. Nine Congolese armed forces soldiers were reportedly killed and some 2,000 civilians were displaced. MONUSCO is investigating unconfirmed reports of the killing of 20 civilians in the Mutwanga area, allegedly by ADF elements prior to the incident of 25 December.

20. In a serious setback for the Congolese armed forces, on 2 January 2014, Colonel Mamadou Moustapha Ndala was killed along with two others in an ambush laid by unidentified assailants near Ngadi, north of Beni. Colonel Ndala was a respected commander of the armed forces who played a key role in operations against the M23. Investigations by the Congolese armed forces into the assassination are ongoing.

21. On 2 and 3 January, MONUSCO helicopters were shot at by suspected ADF elements near Beni. MONUSCO returned fire. No damage or casualties were recorded. On 5 January, a Congolese armed forces soldier was killed east of Kamango in continued clashes with ADF. In response to ongoing ADF attacks, on 16 January, the Congolese armed forces commenced operations to clear routes and limited areas. MONUSCO provided logistic support, intelligence, and direct liaison on the ground.

22. On 2 January, rebels from the Alliance des patriotes pour un Congo libre et souverain (APCLS) clashed north-west of Kitchanga with a Congolese armed forces regiment composed mainly of ex-members of the Congrès national pour la défense du peuple (CNDP). This incident exacerbated tensions among the Hunde and Tutsi communities in the area. On 14 January, Mayi-Mayi Cheka attacked Pinga, which had been cleared of armed groups in December through joint operations of the Congolese armed forces and MONUSCO, killing four armed forces soldiers and injuring three civilians. The Congolese armed forces, with support from MONUSCO, successfully repelled the attack.

23. The Forces démocratiques de libération du Rwanda (FDLR) continued to pose a threat to civilians in North and South Kivu. Following movements of FDLR elements in December from Walikale towards Luofu in Lubero territory, security incidents increased in the Luofu area, including the abduction and mistreatment of three customary chiefs on 25 December. In South Kivu, FDLR continued to take advantage of security vacuums to expand their control, reportedly installing parallel administrations, including in Mwenga and Fizi territories. MONUSCO is currently supporting planned operations of the Congolese armed forces against FDLR in Fizi territory.

24. The security situation in South Kivu remained unpredictable, particularly in Shabunda, Mwenga, Uvira and Fizi territories. In Shabunda, 150 elements of various factions of Raia Mutomboki surrendered.

25. Following Congolese armed forces operations, Mai-Mai Yakutumba retreated from Fizi territory and attempted to forge an alliance with FDLR, but failed to open a base in Mwenga's Itombwe Sector.

26. In Katanga, the security situation remained highly volatile. Despite the surrender of a number of Mayi-Mayi elements, insecurity persisted mainly in Mitwaba, Moba, Manono and Pweto territories owing to the re-emergence of a Mayi-Mayi movement led by "Kata Katanga". On 7 January, violent clashes occurred between the Congolese armed forces and Bakata-Katanga rebels in Kiziba village (30 km from Lubumbashi), during which an estimated 200 houses were burnt. On 28 January, fighters affiliated with Mayi-Mayi Bakata Katanga attacked Kikomo village, setting homes on fire and looting food distributed by the World Food Programme to internally displaced persons. On 11 February, Kata Katanga attacked the village of Tpembe (170 km from Pweto), unsuccessfully attempting to kidnap the mayor for his cooperation with the Congolese armed forces. In total, over 600 houses in 11 villages have been destroyed since October 2013. Inter-community tensions between the Pygmy and Bantu in north-eastern Manono and south Nyunzu territory also increased.

27. In Orientale Province, the security situation remained relatively calm, despite reports of a splinter group of the Lord's Resistance Army (LRA) and unidentified armed elements. On 29 December and on 6 January, separate attacks by suspected LRA elements in Anduala, Haut-Uele, and in Bondo territory, Bas-Uele, were reported.

28. In south Irumu, repeated attacks and human rights violations by the Forces de résistance patriotiques en Ituri (FRPI), targeting civilians as well as the Congolese armed forces, were reported. In late December in Mambasa territory, the Morgan armed group attacked Pakwa and Salate villages. MONUSCO established a Mobile Operation Base to support the armed forces and deter any attack against civilians.

Humanitarian situation

29. The estimated number of internally displaced persons in the Democratic Republic of the Congo stands at more than 2.9 million, an increase from 2.7 million in the previous reporting period. In North Kivu, meagre return figures were observed from camps around Goma, while ADF activity in Beni territory led to an additional 90,000 displacements. Orientale, Katanga and Maniema Provinces each saw an increase of around 40,000 internally displaced persons owing to fighting between the Forces de résistance patriotique en Ituri and the Congolese armed forces in southern Irumu, attacks by the Bakata Katanga and activity by Mayi-Mayi Kems and Raia Mutomboki elements. Armed conflicts represented 90 per cent of the causes of displacement. More than 1.1 million internally displaced persons are in North Kivu, amounting to 38 per cent of the total displaced population in the country, and sizeable groups are also found in South Kivu, Katanga, Maniema and Orientale Provinces. In Katanga, the number of internally displaced persons increased from 350,000 to over 400,000 in the past three months. Access to internally displaced persons was constrained by growing insecurity and physical deterioration of access routes, leading to some partners suspending their activities.

WFP distributed food to around 17,000 newly displaced people in January. Cholera also remains a serious health concern in the province. There was an increase of 98 per cent in the number of cases of cholera in Katanga between 2012 and 2013 (from 6,930 to 13,726 cases) and a 56 per cent increase in the number of deaths from cholera (from 223 to 348).

30. The 2013 humanitarian appeal for the Democratic Republic of the Congo, estimated at US$ 893 million, was covered at 81 per cent with US$ 730 million funded as at 5 February 2014. A new appeal was launched, calling for US$ 832 million in humanitarian assistance for 2014, with no allocations to date. In December, a total of US$ 7.1 million from the Democratic Republic of the Congo humanitarian pooled fund was allocated for North Kivu and Katanga provinces.

31. Owing to the security situation in the Central African Republic, by 21 January, 58,000 refugees had arrived in Equateur and Orientale Provinces, including some 12,000 new arrivals since December. Following funding shortfalls to WFP, general food distributions have been temporarily suspended since January throughout 35 Camp Coordination and Camp Management sites in North Kivu.

Economic developments

32. On 31 January, the National Assembly adopted the 2014 State budget of US$ 9 billion, equivalent to 40.6 per cent of gross domestic product (GDP), representing an increase of 22.1 per cent compared to the 2013 budget. The final budget was increased by US$ 0.8 billion, compared to an earlier draft, following adjustments made for elections, decentralization, restoration of State authority, population census, security sector reform and the rebuilding of areas affected by rebellions. The 2014 State budget, promulgated by President Kabila on 1 February, takes into account the implementation of national commitments under the Peace, Security and Cooperation Framework. It also includes provisions for the implementation of the National Dialogue recommendations, as well as the holding of local, provincial and senatorial elections. Economic growth increased from 7.2 per cent in 2012 to 8.1 per cent in 2013. Inflation has remained at 1 per cent.

Regional developments

33. On 14 January 2014, the International Conference on the Great Lakes Region held its fifth Ordinary Summit in Luanda under its new Chair, the President of Angola, Jose Eduardo dos Santos. In their final communiqué, leaders of the region urged MONUSCO to intensify its operations against armed groups in the eastern Democratic Republic of the Congo, in particular against FDLR and ADF. The leaders called on the Joint Fusion Cell of the International Conference to investigate the link between ADF and the Al-Shabaab terrorist group and encouraged a speedy elaboration of tools to combat the illegal exploitation of natural resources and the rapid operationalization of the Natural Resources Technical Unit.

34. On 31 January, my Special Representative, Martin Kobler, and my Special Envoy for the Great Lakes Region, Mary Robinson, accompanied my Deputy, Jan Eliasson, to the Regional Oversight Mechanism's third high-level meeting in Addis Ababa, in the margins of the 22nd African Union Summit. My Deputy called on all signatories to sustain the momentum and underscored the need to pursue the comprehensive strategy to address the root causes of the conflict in the region as well as collective efforts to promote dialogue in the region. In the final communiqué

of the meeting, the members of the Regional Oversight Mechanism further renewed their commitment to the implementation of the Peace, Security and Cooperation Framework.

35. The Security Council, in its resolution 2136 (2014) of 30 January 2014, extended the mandate of the Group of Experts on the Democratic Republic of the Congo until 1 February 2015, with various requests to Member States to abide by their respective commitments.

36. The continued presence of some 1,325 former M23 fighters (according to the Ugandan authorities) in Uganda and 682 in Rwanda (most of them there since March 2013) remains a complicating factor in the building of confidence between the Democratic Republic of the Congo, Rwanda and Uganda. Consultations continued between relevant stakeholders to facilitate the return and demobilization of these former M23 elements, including through donor funding.

37. The influx of refugees from the Central African Republic affected the bordering province of Equateur, heightening the risks of a potential spillover of the intercommunal and sectarian tensions into the Democratic Republic of the Congo. In a bid to defuse growing community and sectarian tensions, MONUSCO, together with civil society, is conducting sensitization activities on conflict resolution and peaceful coexistence between the communities. In late December, the Democratic Republic of the Congo had deployed 850 troops as part of the African Union Support Mission to the Central African Republic.

III. Implementation of the mandate of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo

Protection of civilians

38. Although the threat posed by the M23 to civilians was removed from North Kivu, other armed groups continued to pose a threat to civilians in the East. The MONUSCO joint protection teams continued to monitor potential threats to the civilian population to assess the situation in vulnerable areas and identify protection needs and mitigating measures. The intensification of military operations with the Congolese armed forces prompted the Mission to step up and strengthen the screening of armed forces units, which MONUSCO was requested to support, in compliance with the United Nations Human Rights Due Diligence Policy. MONUSCO also continued to sensitize civil society leaders and the population on the planning of security and military operations in the East.

Neutralizing armed groups

39. The reporting period was characterized by further momentum in the efforts of MONUSCO to neutralize armed groups in support of the Congolese armed forces. Underpinned by Security Council resolution 2098 (2013), MONUSCO adopted a more robust posture, presence and profile, in particular against ADF and FDLR. Though purely offensive operations have yet to be undertaken by MONUSCO, the Mission is currently providing support to the offensive operations of the Congolese armed forces against ADF around Kamango, launched on 16 January 2014. Offensive operations against FDLR are in an advanced stage of planning. Planning

has been supported by information provided by the MONUSCO unarmed, unmanned aerial systems. Although FDLR has expressed its intention not to engage in fighting with MONUSCO and has avoided contact with MONUSCO units, the armed group has not taken any steps to lay down its arms. In preparation for the upcoming operations, the Congolese armed forces committed units and MONUSCO positioned Force Intervention Brigade battalions in strategic areas in Rwindi, Walikale and Kibumba. MONUSCO is also supporting armed forces operations currently under way against FRPI in South Irumu.

40. Since late December 2013, following the coordinated attacks in Kinshasa, Lubumbashi and Kindu, five important joint operations against ADF, APCLS, and Mayi-Mayi Cheka were conducted with the Congolese armed forces. MONUSCO continues to provide critical logistical support to the armed forces and has in the reporting period provided over 100,000 litres of fuel, 54 ground-to-air movements and medical evacuation to armed forces injured soldiers.

41. In an effort to enhance effectiveness in dealing with armed groups, MONUSCO has begun to minimize the use of static sites where the Mission had limited influence. Further closures are planned following the completion of a tactical infrastructure review. A joint strategic review and military capability study conducted from 16 to 31 January recognized a new momentum in the military operations following the introduction of the Force Intervention Brigade, and strategic changes in the Force structure are under review to maximize the Force's effectiveness in the implementation of the MONUSCO mandate.

Monitoring the implementation of the arms embargo

42. Since the liberation of large areas of North Kivu, MONUSCO established additional temporary operating bases close to the national border in the East and considerably increased its patrol activity. The Congolese armed forces also increased its presence to assist in border monitoring. The Expanded Joint Verification Mechanism team was requested to investigate allegations of cross-border support to armed groups and determine the origin of weapons, ammunition and vehicles discovered in areas vacated by the M23.

43. Since their operationalization, the unmanned aerial systems have provided MONUSCO with a responsive, controlled and timely source of information, particularly in terms of supplementing the Force's intelligence, surveillance and reconnaissance efforts against the illegal activities of armed groups.

Good offices

44. My Special Representative has continued to strongly encourage a political environment conducive to the implementation of key mandated tasks, including calling for Congolese engagement in and ownership of security sector reform, progress in stabilization, the timely implementation of the National Disarmament, Demobilization and Reintegration Plan (PNDDR III), the promotion of inclusive dialogue among all stakeholders, and the establishment of an effective national civilian structure to ensure equitable natural resource extraction. He also continued to promote an inclusive national dialogue aimed at furthering reconciliation and the holding of credible provincial and local elections. As part of that engagement, he met with President Kabila on 15 February 2014.

45. In coordination with the team of my Special Envoy for the Great Lakes Region, Mary Robinson, my Special Representative frequently travelled to Kigali and Kampala in pursuit of enhanced and more integrated regional cooperation, including in the areas of security and combating the illegal exploitation of natural resources.

46. Regarding support to the electoral process, consultations with international partners are ongoing through the Technical and Steering Committees of the Independent National Electoral Commission. MONUSCO, in collaboration with international partners, is supporting the Commission to mobilize resources for the next electoral cycle. My Deputy Special Representative and Resident Coordinator held a series of meetings with donors to advocate for and facilitate the mobilization of resources for the UNDP electoral support project.

Support to security sector reform and police reform

47. MONUSCO and international partners continued to advocate for the need to adopt an army reform plan and to define the national defence strategy and priorities. Together with the European Union Advisory and Assistance Mission for Security Reform in the Democratic Republic of the Congo, MONUSCO provided advice to the Ministry of Defence working group on army reform issues. The European Union Mission and MONUSCO also continued their co-chairing of meetings of the working group of international partners on defence reform issues.

48. Although MONUSCO deployed military trainers to the Tactical Training Centre (Centre d'entraînement tactique de batallions) in Kisangani in September 2013, delays by the Congolese armed forces in designating units to be trained impeded progress, including delaying the screening of the armed forces' rapid reaction units. MONUSCO continued to provide training support to armed forces units in North Kivu, South Kivu and Ituri district in Orientale Province.

49. MONUSCO and Congolese Court magistrates conducted 30 joint visits of police cells in 16 locations affected by armed conflict. As a result, the number of detainees and cases exceeding the lawful detention period decreased significantly, while the number of cases forwarded to the Court increased.

50. MONUSCO continued to provide technical support to Congolese prison authorities on security, provision of life-sustaining services such as food and health care, and prisoner case flow management. A total of 30 corrections Government-provided personnel were redeployed to the East. In December 2013, UNDP approved the seed-funding of US$ 1.5 million for the implementation of three (out of the five) projects under the multi-year Joint United Nations Justice Support Programme. MONUSCO also continued its regular activities in support of the justice system, including training justice officials and staff on procedural and substantive matters, and finalized its mapping of military justice institutions.

Support to disarmament, demobilization and reintegration/disarmament, demobilization, repatriation, resettlement and reintegration

51. The Mission continued to provide its good offices to support the Government in the development of a single and overarching disarmament, demobilization and reintegration/repatriation and resettlement programme for both Congolese and foreign armed group elements. On 26 December, the Government adopted the third

phase of the National Disarmament, Demobilization and Reintegration Plan (PNDDR III). This plan, which was designed with the support of humanitarian partners, has a budgetary allocation of $99,574,416 and targets 24,410 persons in war-affected areas. An interministerial committee, supported by MONUSCO, has been tasked with steering the implementation of the new programme, following the endorsement of the PNDDR III plan by the President on 26 December 2013.

52. Despite the endorsement of PNDDR III, there is a lack of clarity on the eligibility criteria, including ambiguity over the different categories of former fighters, inclusion of dependants, and the combatant-weapon ratio. In addition, serious questions remain over the nature of the proposed relocation of combatants outside of the Kivus and the availability of funding for PNDDR III, especially for its long-term reintegration aspects.

53. In the meantime, there are more than 8,500 former fighters waiting in nine camps across the country. The largest regrouping site Bweremana (North Kivu) is hosting 5,500 former fighters and dependants. In response to requests from the Congolese armed forces, MONUSCO provided temporary support, including food rations, supplies and medical assistance, to improve living conditions at the site.

54. The United Nations country team led by UNDP has developed a reintegration programme. It is expected that once political and technical issues related to the nature of the disarmament and demobilization process are clarified, the reintegration programme will accommodate the vetted former fighters, should funding be made available.

Stabilization and consolidation of State authority

55. During the period under review, MONUSCO prioritized stabilization activities in Rutshuru and Kiwanja in North Kivu through "Islands of stability", aimed at providing a framework for integrated United Nations activities in areas cleared from armed groups.

56. MONUSCO encouraged the return of the Congolese authorities to areas affected by armed conflict, including the re-establishment of security and a functioning justice system. In Pinga, MONUSCO supported the return of the Congolese National Police to the area (51 since 10 January). The Mission also supported the reopening of the Rutshuru prison by the North Kivu Provincial Justice Minister and provided training to prison personnel in Pinga. The Mission provided support to the establishment of a Local Protection Committee in Pinga to improve the protection of civilians in the area. MONUSCO is also facilitating the deployment of prosecutors on rotation in Walikale following the reopening of the court in late 2013.

57. Working closely with UNDP, MONUSCO is conducting a quarterly poll to detect dynamic changes in areas affected by conflict with a view to developing stabilization and peace consolidation plans in the Kivus.

Human rights

58. Numerous armed groups as well as Congolese defence and security forces continued to regularly commit serious human rights violations against civilians, in particular, though not only, in several eastern provinces affected by conflict. Following investigations conducted during the reporting period, MONUSCO was

able to confirm serious human rights violations against civilians in different locations of Beni territory in North Kivu Province. These include the killing of at least 21 civilians, 11 of whom were children, and the wounding of three others, including one child, in an attack on Rwenzori collectivity, on 11 December 2013. Following the alleged coup of 30 December, serious allegations of large-scale human rights violations are also being investigated in Katanga and Kinshasa Provinces, and, to a lesser extent, Maniema Province. While the investigations are ongoing, MONUSCO is able to confirm thus far that at least 46 people were killed and 10 wounded by National Security and Defence Forces in Lubumbashi on 30 December 2013.

Provision of support to national and international judicial processes

59. MONUSCO continued to assist military justice authorities, through its prosecution support cells, to investigate and prosecute serious crimes, including crimes of sexual violence. At the request of the Congolese Government, and with support from the European Union, MONUSCO and UNDP established a seventh prosecution support cell in Lubumbashi, Katanga Province.

60. MONUSCO supported a mobile court hearing in Beni-Butembo, Lubero territory, in February, of 22 criminal cases (18 of sexual violence and four of murder). The Mission continued to monitor the activities of the Morgan Sadalla militia, in particular the Mayi-Mayi Simba, and supported a mobile court hearing in February in a case involving 24 suspects charged with crimes against humanity (rape, murder, kidnapping and looting) with over 400 victims and witnesses. Following a number of serious human rights violations committed since August by Congolese armed forces troops during operations against FRPI in South Irumu, MONUSCO provided support to the investigations undertaken by the Congolese military justice system, which resulted in the arrest of 15 officers and soldiers of the Congolese armed forces.

Sexual violence

61. Sexual violence crimes continued to be committed by armed groups and State agents. In January, sexual violence crimes were allegedly committed against at least four women, 35 girls and one man by elements of armed groups and members of the national defence and security forces. Armed groups in Ituri district, Orientale Province, predominantly FRPI, were responsible for sexual violence against 11 victims. Other armed groups were responsible for a further 12 cases. Congolese armed forces soldiers were allegedly responsible for committing sexual violence against 11 victims, mainly in North Kivu and Orientale Provinces. Other State agents, including the Congolese National Police, were responsible for a further six cases.

62. The trial of those involved in the Minova case resumed on 22 January after a four-week interruption caused by a lack of military judicial personnel. From 11 to 19 February, with the support of the United Nations and other partners, the military court held sessions in Minova, hearing testimonies of victims of rape and other human rights violations. MONUSCO continues to provide technical and logistical support to the Congolese military justice authorities in these trials.

Child protection and armed conflict

63. During the reporting period, 268 children (47 girls and 221 boys) were separated from armed groups that surrendered to the Congolese armed forces in North Kivu. The youngest recruit was a 10-year-old boy; 113 children were separated from the Nyatura armed group, followed by 68 from the Force de défense des droits de l'homme (FDDH). Children were also identified among the ranks of the APCLS (18), the Union des patriotes congolais pour la paix (UPCP) (16), the Forces populaires congolaises (FPC) (16) and the Nduma défense du Congo (NDC)/Cheka (15). Partners of the United Nations Children's Fund (UNICEF) assisted a total of 482 children who exited armed groups (441 in North Kivu alone), including 68 girls.

Mine action

64. The transfer of tasks related to the United Nations Mine Action Service (UNMAS) to the United Nations country team was completed. UNMAS continues, however, to carry out humanitarian demining activities owing to the lack of appropriate capacity within the United Nations country team. The 49 per cent budget cut of MONUSCO explosive ordnance disposal (EOD) and Weapons and Ammunition Management (WAM) components will reduce UNMAS EOD support from six to two multitasking teams. These will focus on the removal of ammunition and unexploded ordnance in Nyiragongo and Rutshuru. In January, 558 unexploded ordnance, 65,000 items of small arms ammunitions and 9,642 unserviceable items were collected and destroyed in North Kivu. In mid-February, MONUSCO launched a two-month ammunition and weapons management training programme for the Congolese armed forces in Kisangani, in support of the armed forces Logistics Base and Rapid Reaction Force.

Stabilization and peace consolidation progress

65. The revised ISSSS, in support of the Peace, Security and Cooperation Framework, was presented to the Government on 13 January and subsequently to international partners, to support stabilization activities across the East. This new strategy aims at addressing the root causes of the conflict, through a multifaceted approach focusing on democratic dialogue, security provision, restoration of state authority, socioeconomic development, and putting an end to sexual violence in conflict.

Extraction and trade of natural resources

66. On 20 January, the regional certification process was launched. Certification will be based on information provided on the origin of the mineral resources and the identity of the vendor. The new process will reportedly be extended to other States members of the International Conference on the Great Lakes Region to facilitate the fight against the illegal exploitation of natural resources in the Great Lakes region.

67. Little progress was achieved in the implementation of the traceability/validation process in conflict areas covered by the Centre de négoce Ndigila and Itebero, in Walikale territory, and Rubaya, in Masisi territory. MONUSCO assisted the Ministry of Mines in conducting validation exercises in non-conflict areas in Maniema territory, in the Kalima, Pangi and Matate mining sites, as well as in the Kalimbi mine in Walungu territory in South Kivu. Some progress was made in the

validation planning for mining sites in Katanga. In partnership with the Government, MONUSCO is co-leading the validation process of mining sites before the establishment of "Points de vente/Centres de négoce".

IV. Safety and security of United Nations personnel within the context of operations of the MONUSCO Intervention Brigade

68. Security threats and risks to United Nations staff, premises and operations increased countrywide, including in the south-western provinces of the Democratic Republic of the Congo. The most serious incidents occurred on 5 January, when a MONUSCO national staff member was shot in Beni by an unidentified man. Investigations by the Congolese National Police are ongoing.

69. Regarding serious security threats to United Nations personnel or property, MONUSCO recorded 51 crime-related incidents, 5 cases of civil unrest and 20 hazard-related incidents. These include burglary at residences of staff members, theft of United Nations property, road accidents, demonstrations in front of United Nations compounds and negative sentiments expressed against MONUSCO.

70. Threats to the security of United Nations staff, premises and operations remain high in the northern part of North Kivu Province owing to the activities of ADF/National Army for the Liberation of Uganda (NALU), which have threatened to directly target United Nations staff and installations if attacked by the Congolese armed forces and MONUSCO. In response, non-critical international staff members were relocated from Beni to Goma. The terrorism threat posed by ADF/NALU in the eastern Democratic Republic of the Congo should not be ignored. MONUSCO is conducting a vulnerability assessment of United Nations premises across the country with a particular focus on north-eastern areas. On 18 December 2013, a MONUSCO utility helicopter crash-landed when the rotors hit a tree near Mpati in Walikale area, North Kivu. The helicopter rotor was damaged and two crew members sustained minor injuries.

V. Joint security assessment

71. From 19 October to 7 November, MONUSCO and the Congolese Government undertook joint assessment missions to evaluate the security and humanitarian situation and progress in the extension of State authority in 30 territories and localities throughout Orientale, North and South Kivu, Maniema and Katanga Provinces. In Orientale Province, the assessment confirmed a relative decrease in LRA activities. FRPI activities increased in southern Irumu, in Ituri district. In North Kivu, ADF had increased its activities. In Walikale and Masisi territories, joint operations by the Congolese armed forces and MONUSCO had helped to restore State authority in Pinga. In South Kivu, exactions committed by Raia Mutomboki and FDLR were the most relevant findings. In Katanga Province, Mayi-Mayi Kata Katanga shifted their activities towards the south and new alliances of Mayi-Mayi groups were forged.

VI. Mission reconfiguration and road map for the transfer of tasks

Transfer of tasks

72. Following the identification of a "road map" of tasks to be transferred from MONUSCO to the United Nations country team, detailed plans on the handover in areas not affected by armed conflict were developed and bridging arrangements, transfer locations and timelines were confirmed. As a transitional arrangement, MONUSCO will be making staff available to agencies for certain tasks. The tasks identified to be transferred by June 2014 are on course. The only exception is the multi-year capacity-building support to strengthen dialogue between the Government and civil society actors, which will be completed in June 2015.

73. In parallel with the handover, a strategic capacity assessment of the needs of the United Nations country team continues. Preliminary findings show that the country team possesses the technical capacities required for the transfer in areas not affected by armed conflict. However, operational capacities will pose a significant challenge following the withdrawal of MONUSCO from non-conflict areas. The assessment has also revealed that few activities have been handed over to State institutions.

74. Next steps include developing a resource mobilization strategy for the United Nations country team to attract the necessary resources. The reconfiguration and transfer of tasks will provide a point of departure for the planned revision of a joint strategic framework for the United Nations family in the Democratic Republic of the Congo.

Mission reconfiguration

75. MONUSCO continued the planning and implementation of the Mission's reconfiguration to the East. MONUSCO drafted its Mission Concept, outlining a vision for an operational and field-based Mission, focusing on areas affected by armed conflict. In support of this vision, MONUSCO has decided to retain a lean Mission headquarters in Kinshasa that will focus on providing good offices, advice and support to the Government, in particular with respect to the implementation of the commitments outlined in the Peace, Security and Cooperation Framework.

76. In areas not affected by armed conflict, integrated teams will ensure continued presence through six antenna offices in Bandundu, Kanaga, Kindu, Matadi, Mbandaka and Mbuji-Mayi. The antennas represent a reduction in staff of around 80 per cent. The staff will be trained in early warning and risk analysis, human rights monitoring and reporting, as well as security and communication, and have minimum monitoring and reporting functions. The antenna offices will constitute a platform for close collaboration between MONUSCO, the United Nations country team, local authorities and civil society actors, which will facilitate the smooth and complete transfer of tasks from MONUSCO to the United Nations country team in those areas.

77. As of 1 July, MONUSCO will cease its aviation, movement control and transport services in all antenna locations except Mbandaka. Other services will either cease or be reduced to serve the antennas only.

78. In support of the Mission's operations in the East, two thirds of all substantive staff in Kinshasa will be redeployed to areas freed from armed groups or co-located in priority zones in North Kivu to support the establishment of "Islands of stability". To ensure the continuity of MONUSCO operations and to minimize the impact on urban areas in the East, there will be a phased and gradual move of staff and Mission assets.

79. As at 15 February, around 130 civilian and uniformed personnel had moved from Kinshasa to Goma, including my Deputy Special Representative responsible for eastern operations, the Force Commander, the Director of Mission Support, the Chief of Staff, and a majority of Heads of substantive sections. It is envisaged that others will redeploy in August. The Mission further anticipates reducing the number of military observers and team sites in areas not affected by armed conflict, while strengthening border-monitoring activities in the East. Its reconfiguration will be pursued in line with the recommendations of the strategic review, as presented in paragraph 41 above.

80. At the end of November and in early December 2013, the Office of the Police Commissioner initiated the relocation of functions to Goma and training coordination to Kisangani. The Police Reform Cell will maintain a residual presence in Kinshasa within the Executive Secretariat of the Steering Committee on Police Reform. Pending the full review of required logistical needs, United Nations police officers and formed police units are gradually redeploying to sectors in the East.

VII. Observations

81. The comprehensive approach presented in my report to the Security Council of 27 February 2013 (S/2013/119) has started to bear fruit. One year after its signing, the Peace, Security and Cooperation Framework remains central to consolidating peace in the Democratic Republic of the Congo and catalysing development and reconstruction for its people and the region. The combination of a robust approach aimed at neutralizing armed groups, determined regional engagement to ensure the fulfilment of the commitments made by the signatories of the Peace, Security and Cooperation Framework, and the pursuit of essential reforms in the Democratic Republic of the Congo remain important elements of a strategy that needs to be energetically pursued in the months to come in order to consolidate the gains realized in 2013 and make further progress in addressing the root causes of the violence that is still pervasive in the eastern Democratic Republic of the Congo.

82. The military defeat of the M23 in November 2013 represented an important milestone in enhancing security and stability in the eastern Democratic Republic of the Congo. It allowed the State to return to areas over which it had lost control for more than two years and led to a substantial number of surrenders among other armed groups. But much remains to be done in order to consolidate those gains. Former M23 fighters who have not committed serious crimes, in particular those remaining in Uganda and Rwanda, need to be demobilized and reintegrated into Congolese society. I welcome the recent promulgation of the amnesty law by President Kabila and encourage the Government to urgently implement it in order to speed up the process of reintegration of former fighters. I call on the Congolese Government to further develop the National Disarmament, Demobilization and Reintegration Plan, in close coordination with the international donor community

and in line with the principle of an essentially voluntary process, and ensure its early implementation. I also urge the Governments of Rwanda and Uganda to collaborate in the repatriation of those former fighters.

83. Other dangerous armed groups continue to prey on the population in the eastern Democratic Republic of the Congo. Ongoing operations against FDLR and the Allied Democratic Forces, in particular, must continue and those groups, which are not only terrorizing the Congolese population and exploiting the natural resources of the country but also represent a threat to regional stability, must be neutralized. I once again urge all signatories of the Peace, Security and Cooperation Framework to implement their commitments. I have asked my Special Envoy and Special Representative, in close consultation with the other special envoys, to continue their diplomatic efforts aimed at building confidence between the Democratic Republic of the Congo and its neighbours.

84. The Democratic Republic of the Congo has made gradual progress on implementing the six national commitments under the Peace, Security and Cooperation Framework. There is now a window of opportunity to speed up the pace of those reform efforts. The continued military operations by the Congolese armed forces and MONUSCO need to be matched by a concerted political effort to move forward on the implementation of national commitments. The progress achieved to date does not guarantee that the reform processes and initiatives required to stabilize the East will take hold. I therefore strongly encourage the Congolese Government to accelerate the implementation of key reforms. Tangible progress on key issues, such as security sector reform, decentralization, natural resource management and the fight against corruption, which are often interconnected, would help to win over the Congolese population and build confidence in the future of the country and its institutions. That, in turn, would contribute to a political climate conducive to the holding of credible, transparent and peaceful elections within the constitutional time frames.

85. It will be of critical importance that further headway be made in the coming months. My Special Representative has therefore initiated a functional coordination mechanism at the ambassadorial level concentrating on disarmament, demobilization and reintegration, elections and security sector reform. I am particularly concerned about the slow pace of security sector reform, despite the emphasis placed by President Kabila on its prioritization. Army reform needs to gain momentum. It must be consistent in vision and scope with the fundamental changes required to turn the Congolese armed forces into a professional and disciplined force, acting as a protector of the people and the country's territorial integrity. An effective rapid reaction force, established within the framework of a national security sector reform road map, should gradually assume some of the military tasks of MONUSCO.

86. Further progress is also needed on the extension of State authority, decentralization, electoral preparations and structural reforms aimed at enhancing political and economic governance and effectively fighting corruption, which is taking a toll on the socioeconomic well-being and security of the Congolese people every day. The illicit exploitation of natural resources, in which armed groups are heavily involved, is one of the key drivers of conflict in the eastern Democratic Republic of the Congo. I look forward to the re-engagement of the Government with the Extractive Industries Transparency Initiative and encourage the passage of an oil

bill broadly accepted once the required levels of transparency have been met. These initiatives, if successfully carried through, will contribute to enhancing the transparent management of natural resources. The challenges posed by the implementation of all these reforms cannot be underestimated. The international community must not only rally in support of the Congolese Government and provide it with much-needed financial assistance but it must also encourage the private sector to become the main driver of prosperity and development.

87. In almost all the above-mentioned areas, MONUSCO can play a decisive role. Its Force, equipped with a robust mandate, effective capabilities, and the determination of its troop-contributing countries, has proven that it can be an effective tool for the protection of civilians alongside a clear political strategy. The Mission has developed new approaches and strategies, such as the "Islands of stability", to support the stabilization of the eastern Democratic Republic of the Congo and create durable peace in the country. It is taking a lead role within the international community as a key interlocutor on many aspects of the national commitments of the Democratic Republic of the Congo and continues to advocate strongly for human rights and an end to serious crimes under international law, including sexual violence and abuse. In order to better implement its mandate, MONUSCO has initiated its reconfiguration, including the transfer of tasks to the United Nations country team and the redeployment of staff to the East. MONUSCO will continue to closely monitor developments in Kinshasa and the West through its "antennas" for early warning of potential threats.

88. At this critical juncture, the robust political, protection and military mandate of MONUSCO remains vital to maintain the current momentum and bring long-term peace and stability to the peoples of the Democratic Republic of the Congo and the Great Lakes region. I strongly recommend that the Security Council extend the Mission's mandate in the year ahead so that we can further our efforts towards peace and security in the Great Lakes region.

89. I wish to express my appreciation to my Special Representative for the Democratic Republic of the Congo and Head of MONUSCO, Martin Kobler, and my Special Envoy for the Great Lakes Region, Mary Robinson, the special envoys of the African Union, the European Union and the United States of America, as well as the Southern African Development Community and the International Conference on the Great Lakes Region, who have unstintingly supported the peace process in the Democratic Republic of the Congo. My appreciation also goes to all personnel of MONUSCO and the United Nations country team for their tireless efforts and commitment to peace, at times under very trying circumstances. I would like to pay particular homage to those brave military and civilian peacekeepers who lost their lives or suffered severe injuries in the service of peace and the protection of civilians, in particular, Hamza Katsambya Ntumba, who was killed in Beni on 5 February 2014. Their sacrifice will not be forgotten. I also wish to thank the troop-contributing countries for their vital contributions as well as the donor countries, regional and multilateral organizations and non-governmental organizations that have continued to provide invaluable support to the Democratic Republic of the Congo.